

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.05 AA, Closed Area No. 28-E, Spaulding Island to Ash point, Owls Head, promulgated on March 1, 1990, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.05 AA, Closed Area No.28-E, Ash Point to Birch Point, Owls Head.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, mussels, oysters or quahogs taken from the shores, flats, and waters of Owls Head between Ash Point and Birch Point. The prohibited area is enclosed by a line beginning at Ash Point that runs southerly to the northern tip of Ash Island then running westerly to the northeast prominence of Birch Point.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: March 11, 1996

AGENCY CONTACT PERSON: Paul S. Anderson
Department of Marine Resources
McKown Point Road
West Boothbay Harbor, Maine 04575


THE COURIER GAZETTE
March 14, 1996

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.05 AA, Closed Area No. 28-E, Spaulding Island to Ash Point, Owls Head promulgated on March 1, 1990, and replaces it with a new rule which opens an area between Birch Point and the cove to the north of Spaulding Island.

Department personnel have sampled and surveyed the flats and waters in this area and have determined that shellfish to the west of Birch Point to Dyer Point are no longer subject to biological pollution and can be harvested without threat to public Health.

However, the intertidal area east of Birch Point to Ash Point must remain closed because of pollution. This closure prohibits the harvest of clams, mussels, oysters and quahogs to protect the public health.


E. PENN ESTABROOK
DEPUTY COMMISSIONER

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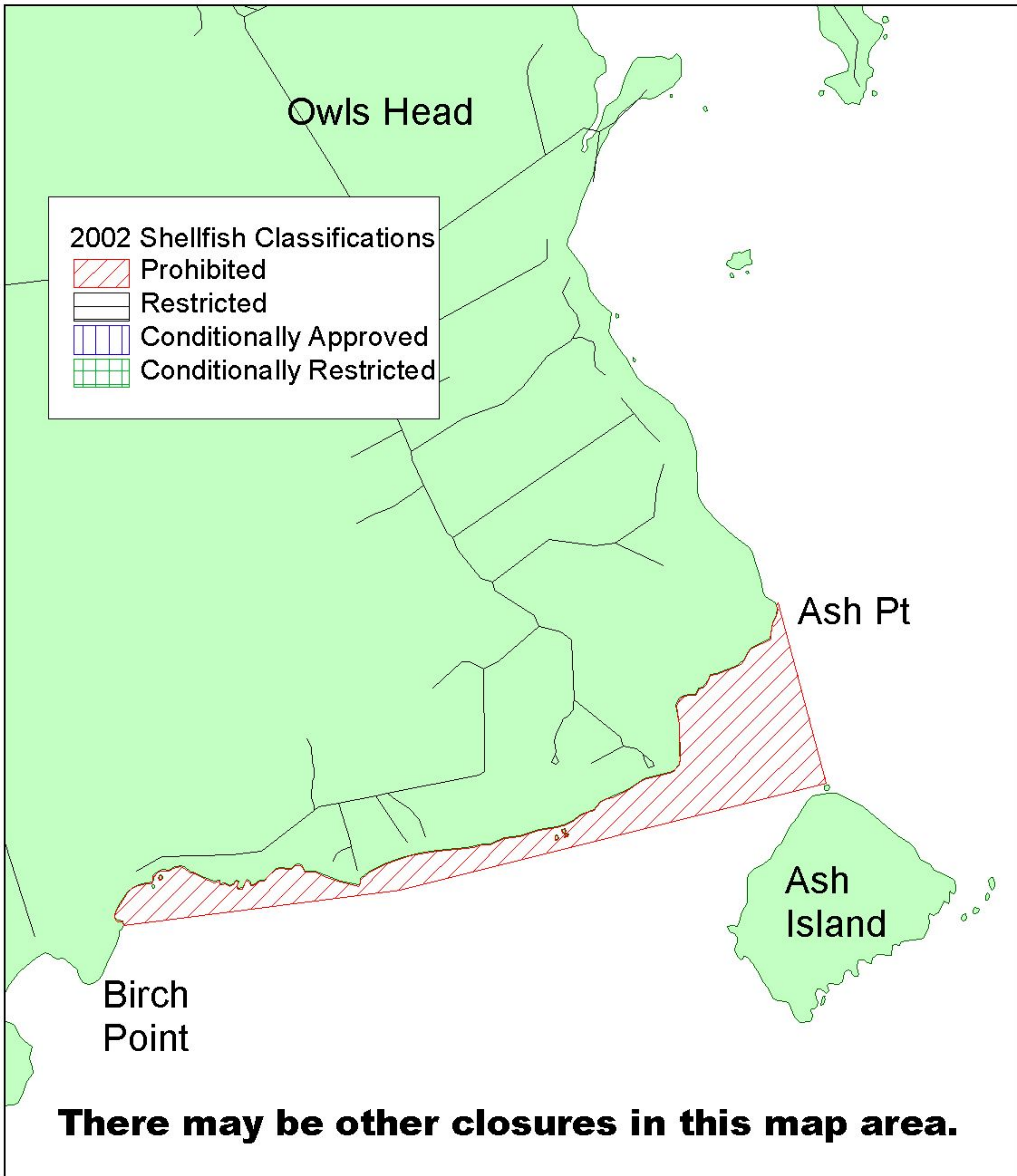
Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

2/5/02



C28E Ash Pt to Birch Pt, Owls Head



There may be other closures in this map area.

0.2 0 0.2 0.4 Miles

